

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12679, of Turner Hanna, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the rear yard requirements (Sub-section 3304.1 and Paragraph 7107.22) to permit a rear addition to a single family dwelling which is a non-conforming structure in the R-2 District at the premises of 827 Burns Street, S.E., (Square 5383, Lot 40).

HEARING DATE: June 28, 1978

DECISION DATE: June 28, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the southeast side of Burns Street, S.E., at its intersection with H Street in the R-2 District and is known as 827 Burns Street, S.E.

2. The subject property is rectangular in shape and is 1,670.60 square feet in area. It is improved with a two story red brick semi-detached dwelling. There is an alley in the rear of the dwelling.

3. The surrounding area is residential in character, being comprised of single-family detached and semi-detached dwellings.

4. The applicant is requesting permission to construct a two story brick addition to the rear of a non-conforming structure. The addition will allow the applicants family of four more living area by adding one bedroom and a den.

5. A structure in an R-2 District is required to have a twenty foot rear yard. The subject structure has a 17.23 foot rear yard. The applicant is seeking a variance of 2.77 feet or 13.85 per cent in order to construct his rear addition.

6. There are approximately six dwellings on the same street which meet the same description as the subject premises and which have second story rear additions constructed on pole support.

7. The Advisory Neighborhood Commission 7E was advised of this application, but made no recommendation.

8. The Municipal Planning Office by its report dated June 27, 1978, recommended the approval of the application on the grounds that the application can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the Zoning Regulations and Maps.

9. There was no opposition to this application.

CONCLUSIONS OF LAW:

The Board is aware that the subject property is surrounded by properties with rear additions and that there was no opposition to this application. The requested variance is an area variance, the granting of which requires the showing of a practical difficulty. The Board concludes that the denial of this application would result in a peculiar and exceptional practical difficulty to the owner of such property. The Board further concludes that the application can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. Accordingly, it is therefore ORDERED that this application is GRANTED.

VOTE: 3-0 (Charles R. Norris, Chloethiel Woodard Smith and William F. McIntosh to GRANT, Leonard L. McCants not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Steven E. Sher by [Signature]  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 24 JUL 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.